

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BRYAN GREEN, Individually and On Behalf of
All Others Similarly Situated,

Plaintiffs,

v.

DELCATH SYSTEMS, INC., EAMONN P.
HOBBS, and KRISHNA KANDARPA,

Defendants.

No. 13 Civ. 03116 (LGS)

JOSEPH CONNICO, JR, Individually and On
Behalf of All Others Similarly Situated,

Plaintiffs,

v.

DELCATH SYSTEMS, INC., EAMONN
P.HOBBS, and KRISHNA KANDARPA,

Defendants.

No. 13 Civ. 04131 (LGS)

**REPLY IN FURTHER SUPPORT AND NOTICE OF NON OPPOSITION TO THE
MOTION OF THE DELCATH INVESTOR GROUP FOR CONSOLIDATION OF
RELATED ACTIONS, APPOINTMENT
AS LEAD PLAINTIFF AND APPROVAL OF COUNSEL**

Proposed Lead Plaintiff Bahman Teimourian (“Teimourian”), Peter Sutherland (“Sutherland”), Sam Etheridge (“Etheridge”), Emil Peters (“Peters”), and Robert Howard (“Howard”) (collectively referred to herein as the “Delcath Investor Group”) respectfully submit this Reply in Further Support of its Motion for Consolidation of Related Actions, Appointment as Lead Plaintiff, and Approval of Counsel and Notice of Non-Opposition to the pending motion. On July 8, 2013 the Delcath Investor Group filed a Motion for Consolidation, Appointment as Lead Plaintiff and Approval of Counsel, stating that it suffered a financial loss of \$3,290,393 in

connection with its purchases of shares of Delcath Systems, Inc. (“Delcath”) during the Class Period. *Green v. Delcath Systems, Inc., et al.*, No. 13-cv-03116 (LGS) (S.D.N.Y.), ECF Nos. 35 & 31. Nine other proposed lead plaintiff movants filed a motion for appointment as lead plaintiff and approval of counsel in this action, each stating their financial loss in connection with their purchases of Delcath securities. *Id.* ECF Nos. 13-41. As illustrated in the below table, the Delcath Investor Group suffered the greatest financial loss of any of the competing movants.

MOVANT(s):	LOSSES:
DELCATH INVESTOR GROUP	\$3,289,920
KOSCH TRUST	\$1,095,774
DELCATH SYSTEMS INVESTOR GROUP	\$993,419
RANDAZZO	\$361,218
DELCATH INVESTOR GROUP	\$266,121
WILLIAMS	\$250,637
ZHOU	\$145,200
PONAGAJBA	\$111,000
PATTEN	\$104,533
HASAN	\$100,150

Recognizing that their financial losses were not as large as the Delcath Investor Group, Movants 1) Patten; 2) Zhou; 3) Kosch Trust; 4) Randazzo; 5) Delcath Systems Investor Group; and 6) Hasan each withdrew their respective motions for appointment as lead plaintiff and appointment of lead counsel. *Id.* ECF Nos. 42, 43, 45, 46, 47 & 48. Furthermore, Movants Delcath Investor Group, Williams and Ponagajba have not filed any opposition to the Delcath Investor Group’s present motion.

Based on the facts presented above and on the factual and legal reasons presented in the Delcath Investor Group’s Motion for Consolidation, Appointment as Lead Plaintiff and Approval of Counsel, the Delcath Investor Group respectfully requests the Court to issue an Order pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 (the “Exchange Act”),

15 U.S.C. § 78u-4(a)(3), as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”) and Rule 42 of the Federal Rules of Civil Procedure: (1) consolidating all actions filed in the Southern District of New York in the above-captioned class actions for all purposes, pursuant to Fed. R. Civ. P. 42(a); (2) appointing the Delcath Investor Group as Lead Plaintiff on behalf of all persons who purchased or otherwise acquired securities of Delcath during the Class Period; (3) approving Lead Plaintiff’s selection of Pomerantz Grossman Hufford Dahlstrom & Gross LLP as Lead Counsel for the Class; (4) granting such other and further relief as the Court may deem just and proper.

Dated: July 30, 2013

**POMERANTZ GROSSMAN HUFFORD
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